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July 30, 2008

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

PNA Bank	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 08 C 4153
	)	
Open Solutions, Inc.	)	
	)	
Defendant.	)	

**ORDER**

After hearing on Plaintiff's Emergency Motion to Remand to the Circuit Court of Cook County, Pursuant to FRCP 12(b)(1), or in the Alternative, Emergency Motion for Mandatory Injunction,

**IT IS HEREBY ORDERED:**

1. Plaintiff's Motion to Remand is denied for the reasons explained in open court on July 29, 2008.
2. The court finds that it has subject matter jurisdiction over this matter because the amount in controversy at the time of filing of the Notice of Removal exceeded \$75,000.00.
3. Plaintiff has demonstrated that it is entitled to a mandatory injunction for the reasons explained in open court on July 29, 2008.
4. As a condition of the mandatory relief granted below, Plaintiff shall pay to Defendant forthwith the sum of \$111,612.80 since that amount is not in dispute due to the concessions made by Plaintiff on July 29, 2008.
5. The amount that remains in dispute, \$59,241.58, shall be placed in an interest-bearing account with the Clerk of the Court as soon as reasonably possible. The court will make a disposition of that amount after it determines the respective rights of the parties under the contract.

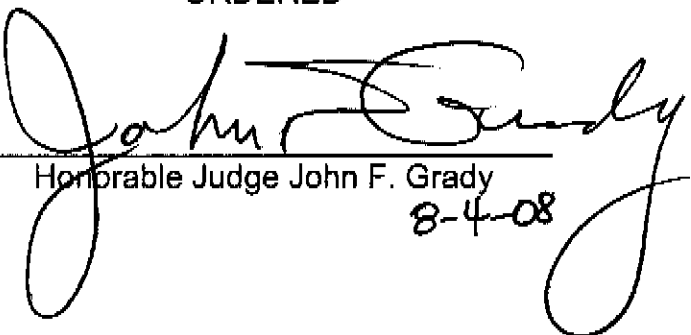
6. The Defendant shall turn over to Metavante Corporation the "first cut" of the deconverted data by August 5, 2008, and shall thereafter complete the turnover of the materials in accordance with the contract.

7. Both Plaintiff and Metavante Corporation shall execute a non-disclosure agreement as provided in the contract and the laws of the State of Illinois, and choice of venue in Illinois shall apply to the non-disclosure agreement.

8. Defendant is excused from answering the Verified Complaint until further order of the court.

9. A status hearing is set for September 17, 2008 at 11:00 a.m. in Courtroom 2201.

ORDERED

  
Honorable Judge John F. Grady  
8-4-08